



RCE/2700

PATENT

Case No. 803 P 019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Mehrdad Dastouri #33/f
Hodgson et al.) Group Art Unit: 2623 K.D.
Serial No. 08/879,322)
Filed: June 20, 1997)
For: MEASUREMENT OF)
FRUIT PARTICLES)
Signature 8-13-02 Date

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the Commissioner for Patents, Washington, D.C. 20231
on August 13, 2002

Commissioner for Patents
Washington, D.C. 20231

AUG 20 2002
Technology Center 2600

Sir:

In reply to the second non-final Official Office Action, (Paper No. 32), mailed May 31, 2002 following the filing of the Request for Continued Examination (RCE), please amend the above captioned application as follows:

In the Claims:

Amend claims 1, 10 and 12 as follows:

1. (Thrice Amended) Apparatus for the measurement of fruit particles in a matrix without removing the fruit particles from this matrix, comprising:

a substantially opaque cabinet;

f1
a sample tray adapted to receive a fruit matrix of fruit particles which are within a matrix selected from the group consisting of a sugar matrix, a starch matrix or a sugar and starch matrix, said fruit matrix being of the kind used in fruit fillings, toppings, dairy products or cooked food products;